

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ORDER

There being reasonable cause to believe that the defendant may presently be suffering from a mental disease or defect rendering him mentally incompetent within the meaning of 18 U.S.C. § 4241(a), the Court hereby orders as follows:

1. Pursuant to the provisions of 18 U.S.C. § 4241(b), this Court orders that a psychiatric or psychological examination of the defendant be conducted, at a suitable facility, designated by the Bureau of Prisons, at which an examination pursuant to 18 U.S.C. § 4247(b) by one or more licensed or certified psychiatrists or clinical psychologists may be conducted. The examiner or examiners should address not only the factors in 18 U.S.C. § 4247(c) (1), (2), (3), and (4)(A), but because a pre-plea pre-sentence report has been ordered in this case, the examiner or examiners should also address the factors in 18 U.S.C. § 4247(c)(4)(E). The examination should be limited to these factors and, therefore, the defendant should not be questioned about his criminal history or the offense charged.

2. Pursuant to 18 U.S.C. §§ 4241(b) and 4247(b) and (c), it is further ordered that one or more of the licensed psychiatrists or clinical

psychologists who examine the defendant prepare a written report, containing the information specified in 18 U.S.C. § 4247(c) (1) – (3) and 4(A) and (E), but not 4(B), (C), or (D), and file such report within forty-five (45) days of the date of this order, mailing copies to Assistant U.S. Attorney Paul Moore, Suite 9200, One Courthouse Way, Boston, MA 02210 and to Michael J. Liston, Esq., 2 Park Plaza, Suite 610, Boston, MA 02116.

3. It is further ordered that, without the prior approval of this court, copies of the report will not be disseminated nor information within it disclosed to anyone except this Court, the United States Probation Office for the District of Massachusetts, Assistant U.S. Attorney Paul Moore, Michael J. Liston, and the defendant.

4. It is further ordered that the United States Probation Office for the District of Massachusetts is authorized to transmit to the appropriate persons at the facility designated by the Bureau of Prisons copies of whatever medical records of the defendant it obtains.

5. In connection with the designation of a suitable facility, this court makes the recommendation to the Bureau of Prisons that, if possible, the defendant be assigned for examination to the facility at Fort Devens, Massachusetts.

Richard G. Stearns
United States District Judge

Dated: